US ERA ARCHIVE DOCUMENT

Quarterly Project Progress Report

Construction Storm Water Excellence Initiative 2007 EPA Grant# EI-96489108-0

March 2010

U.S. EPA State Innovation Grant Program
National Center for Environmental Innovation

Tennessee Department of Environment and Conservation University of Tennessee, Municipal Technical Advisory Service





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Project Description

Construction Stormwater Excellence Initiative

(Tennessee's State Innovation Grant Project- 2007)

Grantor:

US EPA State Innovation grant Program, National Center for Environmental Innovation

Grantee:

Tennessee Department of Environment and Conservation (TDEC) University of Tennessee, Municipal Technical Advisory Service (MTAS)

State Project Manager:

Robert Karesh, Tennessee Department of Environment and Conservation Division of Water Pollution Control, Statewide Stormwater Coordinator 401 Church Street, L & C Annex, 6th Floor Nashville, TN 37243-1534

Phone: (615) 253-5402 / Fax (615) 532-0686

Email: Robert.Karesh@tn.gov

Total Project Cost:

The total amount funded was \$200,000. The State of Tennessee has committed a minimum of \$100,000 of in-kind funding for the same period. There are no other federal contributions to this program.

Project Period:

October 1, 2007 to September 30, 2013

Key Milestones (Including Outputs), Reflecting The Projected Timelines For Completion¹

| Objectives and Outputs | Original Start Date (Amended Start Date) | Original Completion Date (Amended Completion Date) | Complete? | Slippage Explanation/Other Comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|----------------------------------------------------|-----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective: Stormwater group preliminary organizational meeting (pre-award) Output(s): TDEC/MTAS meetings to determine key MS4's for preliminary solicitation, etc. | September 2007 | May 2008 | Yes | This objective combined with the 3rd objective while waiting for final signatures. |
| Objective: Execute contract with the University of Tennessee's Municipal Technical Advisory Service (MTAS) Output(s): Due to MTAS's unique status within the State, their ability to deliver training and technical support statewide to local governments and their history as a TDEC partner in the Stormwater program, MTAS will be the sole contractor for the initiative. | October 2007 | Final Signatures May 2008 | Yes | Final signatures were received by Contracts Division/TDEC May 2008 |
| Objective: TDEC-MTAS project team meetings Output(s): Continuing identification of MS4's for Stormwater group. Identifying specific contacts from various other stake holder organizations. Scheduling venues for organizational meetings. Developing agenda's, informational literature, etc. | October 2007 (March 2008) | May 2008 | Yes | As with Objective #1, TDEC-MTAS continued to work together on project and planning meetings during the delayed pre-award time. The final signatures were received by May 2008. |
| Objective: Establish stormwater group (Tennessee Stormwater Association) Output(s): Organize initial meeting of the state regional group representative at a state level. Formalize the group. Set up a calendar of regional and state meetings, etc. | December 2007 (March 2008) | June 2008 | Yes | Due to delayed signatures for official contract award to MTAS, the development of the statewide Stormwater Association was not established until March 2008 |
| Objective: Establish stakeholder committee Output(s): Identify, contact, and obtain participation from representatives of the stakeholder groups. Set up and formalize the committee. Set mission, agenda, meeting calendar and | December 2007 (May 2008) | May 2008 | Yes | Due to delayed signatures for official contract award to MTAS, and the delayed establishment of the TNSA, the Stakeholder Committee was not established until May 2008 |

 $^{^{\}rm 1}$ Please see Revised Timeline Schedule in Appendix B

| | Key Milestones (Including Outputs), | | | | | |
|-------------|-----------------------------------------------------------------------|--|--|--|--|--|
| | Reflecting The Projected Timelines For Completion ¹ | | | | | |
| milestones. | | | | | | |

Key Milestones (Including Outputs), Reflecting The Projected Timelines For Completion¹

| Objectives and Outputs | Projected Start Date | Projected Completion Date | Complete? | Slippage Explanation/Other Comments |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------|------------------------------|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective: Issue new MS4 General Permit Output(s): With the new minimum requirements for baseline MS4 programs, develop the additional minimum requirements for QLP. This was not part of Grant. | Not part of grant | July 2010 | In process | TDEC worked with EPA to craft a permit that reflected the EPA's desire to see a "Green" permit with more emphasis on infiltration based permanent BMP's. |
| Objective: Facilitate meetings to establish criteria Output(s): Set venue, agenda, etc., and facilitate meetings in order to achieve stakeholder input on the criteria for qualifying a local program. | January 2008 (June 2008) | June 2010 | In process | Start date amended due to grant development delays but meetings have been held every quarter since the Kickoff meeting held August 15, 2008 |
| Objective: Develop and promote guidelines and incentives Output(s): With the information from the stakeholder committee meetings, develop guidance material and an incentive program for qualifying local programs. | Began in September 2008 | June 2010 | In process | Start date amended due to grant development delays but meetings to develop incentives/criteria have been held every quarter since the Kickoff meeting held August 15, 2008 |
| Objective: Develop excellence recognition program Output(s): With the information from additional stakeholder committee meetings, input from additional groups such as the Tennessee Municipal League, etc., develop excellence recognition program | October 2009 | September 2010 | In process | Began initial discussion October 2009, and after amending the project timeline, we will have two more quarterly meetings to discuss & finalize Excellence Recognition Program by September 2010. |
| Objective: MS4's implement new permit Output(s): MS4's revise their programs in accordance with new permit | July 2010 | January 2012 | No | |
| Objective: Pilot the qualification of a MS4 Output(s): Work with select MS4(s) volunteer(s) program(s) to work through guidance materials and document achieving the various elements involved in becoming a qualified program. Monitor the designated Qualified Program. | January 2012 | June 2013 | No | To provide the MS4s with time to adhere to the new MS4 permit requirements, we requested a grant extension of two years. This projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. Please see Timeline in Appendix B. |

Key Milestones (Including Outputs), Reflecting The Projected Timelines For Completion¹

| Objectives and Outputs | Projected Start Date | Projected Completion Date | Complete? | Slippage Explanation/Other Comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|------------------------------|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective: Develop and deliver workshops across the state Output(s): Based on the results of the pilot program, update the guidance materials. With the updated guidance materials and pilot program case history/histories, develop workshops lesson plans. Deliver workshops and guidance materials statewide. | June 2013 | August 2013 | No | The timeline was adjusted by two additional years to provide the MS4s with enough time to adhere to the new MS4 permit requirements; we requested a grant extension of two years. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. Please see Timeline in Appendix B. |
| Objective: Deliver a replicable solution to other states Output(s): With updates to workshop lesson plans and materials based on participant feedback, develop final guidance materials, workshop lesson plans, case histories etc., for delivery to EPA. | September 2013 | September 2013 | No | The timeline was adjusted by two additional years to provide the MS4s with enough time to adhere to the new MS4 permit requirements; we requested a grant extension of two years. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. Please see Timeline in Appendix B. |

Part 1 – Synopsis of Accomplishments during the Reporting Period

During the ninth reporting period (ending March 31, 2010, 1st quarter, 2010), several project milestones were accomplished, initiated, or amended:

- On February 10, 2010, we sent out a meeting summary and supporting documentation for the QLP Stakeholder Committee Meeting from the 4th Quarter of 2009, to assist the Committee in preparing for the next meeting. Work was done by TDEC, MTAS, and the Committee in preparation for the next meeting. The next meeting is now scheduled for June 8, 2010.
- EPA assisted in developing a revised project timeline and project extension request, taking the issue of a new small MS4 permit and its impact on the project into account.²
- EPA provided direction on our QAPP requirements. We continued working with EPA representatives Gerald Filbin, Sean Flynn, and others during this period to assist us in developing a non-numeric based QAPP that will evaluate the data received through timely distributed survey instruments.³
- TDEC has continued to support the establishment of the Tennessee Stormwater Association (TNSA) with efforts outside the scope and funding of this grant.
 - o TNSA provided member representation in commenting on the draft General Permit for Small MS4's.
 - o TNSA established a permanent website committee.

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² Appendix B

³ Appendix B

Part 2 – Narrative Discussion

A. QLP Stakeholder Committee

On February 10, 2010, we sent out a meeting summary for the QLP Stakeholder Committee Meeting from the 4th Quarter of 2009, to assist the Committee in preparing for the next meeting.

The summary recapped the QLP Incentives discussion, and the initiation of the development of a "QLP Recognition and Awards" program. Multiple examples were discussed, included recognition ceremonies by the Commissioner with QLP Mayors, or additional points being added to state grant or loan applications. Members were encouraged to submit other awards/ideas before the next meeting. The intent of the "QLP Recognition and Awards" program is to encourage participants in the pilot phase to stick with the program and continue with it long-term.

It is expected that the QLP Stakeholder Advisory Group will continue, at a minimum, to help with the development of the QLP program through the pilot phase and final rollout. This help, for example, could take the form of feedback and suggestions for mid-course "tweaking" of the program. In addition, we intend for the Committee to provide stakeholder representation on future stormwater permits and guidance development efforts.

Our next meeting was originally scheduled in Nashville for May 5, 2010, from 10am -1 pm Central Time on the 17th floor of the L&C Tower. However, this meeting was later rescheduled to June 8, 2010, in order to allow for the finalization of the new Small MS4 Permit. Final comments on this permit will be received through May 28, 2010. Knowing the final requirements for a baseline MS4 program under the new permit will assist with finalizing the items for the Qualified Local Program.

B. Revised Project Timeline and Project Extension

On February 10, 2010, Gerald Filbin, Sean Flynn, and Alanna Conley with EPA, Robert Karesh and Jennifer Watson with TDEC, and John Chlarson of MTAS, took part in a conference call to discuss the need for a project time extension, including the proper way to provide documentation for an extension request.

The driving force justifying the need for the time extension was the delay in the issuance of Tennessee's new General Permit for Small MS4s. TDEC worked with EPA to craft a permit that reflected the EPA's desire to see a "Green" permit with more emphasis on infiltration based

permanent BMP's. The MS4s will need time to revise their programs in accordance with the new permit. This unforeseen time adjustment would not leave enough time for a full Pilot Program prior to the original end date of the project.

EPA assisted in developing a revised project timeline and project extension request, taking the new Phase II MS4 permit issuance and its impact on the project into account. Some of this activity appeared in the previous Quarter's Report, but more properly should have been in this report, as the activity occurred after December 31, 2009. That is, the previous report on the final quarter of 2009 included a timeline that was actually developed in 2010.

C. Quality Assurance Project Plan (QAPP)

We continued working with the EPA during this period to develop a non-numeric based QAPP that will evaluate the data received through survey instruments. The assistance provided to us from EPA from Gerald Filbin, Sean Flynn, and others, is greatly appreciated.

A copy of the most recent QAPP draft is provided under Appendix B.

D. Tennessee Stormwater Association

As provided for in this innovation grant, we have continued to support the TNSA during this reporting period. The following are highlights of relevant TNSA activities:

- The TNSA website full launch was presented at the Annual Conference In October 2009, as reported last quarter. During the 1st quarter of 2010, additional improvements and updates were made. TNSA established a permanent website committee to promote website improvement. The website is: http://tnstormwater.org/.
- TDEC has also continued to support the establishment of the TNSA with efforts outside the scope and funding of this grant. The contract with Middle Tennessee State University's WaterWorks Stormwater Education Program was approved and awarded during the 4th quarter of 2009. The goal is for the Educational Coordinator to attend all TNSA quarterly regional meetings to determine what general and specific educational tools are needed by the state's MS4s. Product materials will be developed and distributed as needed.

The TNSA education coordinator, Cynthia Allen, attended the following TNSA meetings during the 1st quarter of 2010:

Southeast TN TNSA Quarterly Regional Meeting January 5, 2010

TNSA Quarterly Board Meeting (Brentwood)

January 12, 2010

Middle TN TNSA Quarterly Regional Meeting February 12, 2010

West TN TNSA Quarterly Regional Meeting March 2, 2010

East TN TNSA Quarterly Regional Meeting March 5, 2010

Northeast TN TNSA Quarterly Regional Meeting March 29, 2010

Ms. Allen is putting together a statewide group of MS4s to participate in radio and television stormwater public education and outreach.

Ms. Allen is also putting together a group order for education and outreach print materials to take advantage of a print grant from the Department of Agriculture.

Part 3 – Projection of Activities, Accomplishments, and Major Expenditures for Next Quarterly Report

The QLP Stakeholder Advisory Committee is scheduled to meet again in the second quarter on June 8, 2010, to further develop a "QLP Recognition and Awards" program, finalize minimum QLP requirements (post MS4 re-issuance), and to plan the logistics of the Pilot Phase implementation. Finally, efforts will be made to finalize the QAPP and survey instrument.

Part 4 – Financial Report

The project budget is on track for the goals and milestones of this project. Information Technology set up an internal account at MTAS under which project reporting continues to capture the Grant related hours. An invoice for October- December 2009 for \$19,826.86 was submitted to TDEC by MTAS on February 12, 2010, of this Quarter. An invoice for July-Sept 2009 for \$20,773.88 was submitted to TDEC by MTAS on October 28, 2009, of last Quarter; a table from that report showing corrected dates is included below. TDEC, likewise, set up an

internal tracking mechanism and continues to capture TDEC hours to apply toward the in-kind match.

| Budget Category | Total Approved EPA Project Budget | Current Invoice: October 1, 2009 – December 31, 2009 | Cumulative to Date |
|--------------------------------|--------------------------------------|------------------------------------------------------------|--------------------|
| Professional Salaries | \$80,000 | \$11,502.22 | \$60,754.99 |
| Fringe Benefits/Insurance | \$24,000 | \$3668.48 | \$18,188.33 |
| Travel | \$10,000 | \$922.06 | \$5,766.34 |
| Printing/Supplies | \$15,000 | \$0 | \$131.58 |
| Training/Special Services | \$15,000 | \$1,147.99 | \$6,511.00 |
| Fixed and Administrative Costs | \$56,000 | \$2,586.11 | \$13,177.26 |
| Totals | \$200,000 | \$19,826.86 | \$106,261.50 |

This table appeared in the previous report with the incorrect year in the "Current Invoice" column header.

| Budget Category | Total Approved EPA Project Budget | Current Invoice: July 1, 2010 2009– September 30, 2010 2009 | Cumulative to Date |
|--------------------------------|--------------------------------------|-----------------------------------------------------------------------------------------|--------------------|
| Professional Salaries | \$80,000 | \$13,985.37 | \$49,252.77 |
| Fringe Benefits/Insurance | \$24,000 | \$3,910.86 | \$16,151.85 |
| Travel | \$10,000 | \$168.01 | \$4,844.28 |
| Printing/Supplies | \$15,000 | \$0 | \$131.58 |
| Training/Special Services | \$15,000 | \$4,450.00 | \$5,363.01 |
| Fixed and Administrative Costs | \$56,000 | \$2,709.64 | \$10,691.15 |
| Totals | \$200,000 | \$20,773.88 | \$86,434.64 |

APPENDIX "A"

- A-1 December 8, 2009, Meeting Summary
- A-2 QLP Final Incentives
- A-3 June 8, 2010, Meeting Reminder





STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION WATER POLLUTION CONTROL 401 CHURCH STREET 6TH FLOOR L&C ANNEX NASHVILLE, TN 37243

February 10, 2010

TO: Tennessee Qualified Local Program Advisory Committee

RE: December 8, 2009 Meeting Summary

Good Day,

Once again, we want to extend our appreciation for your continued participation in our Qualified Local Program (QLP) Advisory Committee meeting held on December 8, 2009. Over the last two years, we have worked through numerous potential incentives and we now have a short list of realistic incentives and guidelines to attract the participation of prospective QLPs.

During this 4th quarterly meeting, the opening conversation revolved around the new MS4 permit which was originally scheduled to be issued June 2009, but is now scheduled to be on Public Notice in February 2010 and issued June 2010. The group was concerned that the delay of permit issuance would be a time constraint in the ability of the MS4 to successfully integrate QLP requirements and become Pilots.

We recognize that it is important to the success of this grant to provide the MS4s time to revise their programs and enable a full pilot period. We have spoken with EPA over a time extension and they concurred with our concerns and are positioned to grant us a two year extension. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. Please see attached Timeline document.

The ensuing discussion then turned to our efforts at assessing QLP Grant Project Effectiveness. We discussed the process we've taken to develop the QAPP with EPA's assistance and explained that the QAPP will include a survey that may be delivered multiple times. In an effort to collect the most beneficial data, the group recommended that we perform a preliminary, interim, and final survey.

Our attention was then directed to the finalized versions of the following summarized QLP Incentives:

a. Construction General Permit fee split with QLP - Finalized





- b. QLP status considered equivalent to program effectiveness monitoring Finalized
- c. Standardized TDEC/QLP Enforcement Protocol Finalized
- d. M S4's applying for QLP Status will have to show that the necessary resources will be provided - Finalized
- e. QLP Status Requirements guaranteed Static Finalized
- f. Streamlining QLP Procedures Finalized

Please see the accompanying document Final QLP Incentives for summaries of each incentive.

After the QLP Incentives discussion, we initiated the development of a "QLP Recognition and Awards" program. Multiple examples were discussed, included recognition ceremonies by the Commissioner with QLP Mayors, or additional points being added to state grant or loan applications. Please submit other awards/ideas you may have before the next meeting.

It is expected that the QLP Stakeholder Advisory Group will continue, at a minimum, to help with the development of the QLP program through the pilot phase and final rollout. In addition, we intend for the Committee to provide stakeholder representation on future stormwater permits and guidance development efforts.

Our next meeting is scheduled in Nashville for May 5, 2010, from 10am -1 pm Central Time on the 17th floor of the L&C Tower. We will be sending you an Agenda in the near future.

Thank you again for your participation and the valuable input you provided to this Committee. If you have any questions please contact Robert Karesh or John Chlarson.

Robert Karesh
Statewide Storm Water Coordinator
Department of Environment and Conservation
Division of Water Pollution Control
Robert Karesh@tn.gov
615-253-5402

John C. Chlarson, P.E.
Public Works Consultant
University of Tennessee
Municipal Technical Advisory Service
John Chlarson@tennessee.edu
731 425-4785





A-2

December 8, 2009

Final QLP Incentives:

Incentive #1: Construction General Permit fee split with QLP

Coverage equivalent to coverage under the construction general permit (CGP) may be obtained from a QLP. If a construction site is within the jurisdiction of and has obtained a notice of coverage from a QLP, the operator of the construction activity is authorized to discharge storm water associated with construction activity under the CGP without the submittal of an NOI to the division.

CGP permit coverage fees are specified in the TDEC Rules, Chapter 1200-4-11, and range from zero for sites less than 1 acre to \$7,500 for sites greater than or equal to 150 acres. Our goal with this incentive is to change the Rule such that seventy (70) percent of the total permit coverage fee would be paid to the coverage issuing QLP for costs associated with plan review, coverage review and issuance, inspections, enforcement, program administration and database management. The remaining thirty (30) percent would be paid to TDEC for costs associated with the administration and oversight of the QLP program. In the event that the QLP waives the right to collect the 70% portion of the fee, the entire fee amount must be paid to TDEC.

TDEC is currently evaluating available Rule change options. If successful, TDEC will draft the rule change and propose it to the Water Quality Control Board for approval. Once approved by the Board, the final rule change will be submitted to Attorney General's office for legal review and then the Secretary of State's office for authorization. Our experience has been that this process can take up to 18 months to complete, depending on the complexity of the proposal.

Incentive #2: Standardized TDEC/ QLP Enforcement Protocol

MS4s are required to develop and implement an Enforcement Response Plan (ERP) that includes policies and procedures for stormwater ordinance enforcement. An MS4 that attains the status of a Qualified Local Program (QLP) may include steps in the ERP that allow for cooperative enforcement with TDEC. Our expectations are that this approach will increase construction activity compliance and establish a cooperative partnership between TDEC and the QLP.

When a QLP has proceeded through their ERP and the construction site activity remains in non-compliance, the QLP will be able to submit an Enforcement Assistance Request (EAR) form to the local TDEC Environmental Field Office (EFO). After a review for completeness, the EFO will submit this EAR to the Enforcement Section and an Order may be expeditiously issued using the documentation submitted by the QLP. The enforcement will be based upon the facts, photographs, and enforcement actions





and assessed penalties documented by the QLP and issued under TDEC's authority to assess penalties up to \$10,000 a day as well as require corrective action.

The EAR will be a form approved by the State's Form's Committee and will include guidance.

Incentive #3: QLP status considered equivalent to program effectiveness monitoring

MS4's are required to implement a Storm Water Management Program (SWMP) that will reduce the discharge of pollutants to the maximum extent practicable and not cause or contribute to violations of state water quality standards. MS4's that discharge to stream segments identified as impaired are required to monitor and evaluate SWMP effectiveness. Monitoring protocols and methodologies are pollutant specific. For the purposes of the QLP program, the main pollutant of concern is siltation. Monitoring for stream segments identified as siltation impaired must, at a minimum, include the following, or equivalent:

- Biological stream sampling utilizing the Semi-Quantitative Single Habitat (SQSH) Method as identified in the Division's Quality System Standard Operating Procedure for Macroinvertebrate Stream Survey, revised October 2006. The goal of this monitoring is to collect historical water quality trend analysis data for the purposes of documenting the improvement or deterioration of an impaired stream segment.
- 2. Visual Stream Surveys and Impaiment Inventories, performed in an effort to identify and prioritize MS4 stream impairment sources. At a minimum, a survey must be performed immediately upstream and downstream of each MS4 outfall that discharges into an impaired stream segment. The goal of this monitoring is to evaluate if the pollutant of concern is being conveyed through the stomwater system, or if the general condition of the system itself is generating the pollutant of concern.

QLP programs are expected to be beneficial to long term water quality by effectively minimizing the discharge of construction activity related siltation through the stormwater system. Therefore, TDEC will consider an appropriately maintained QLP status as equivalent to the biological stream sampling referenced above. However, QLP's will still be required to perform the visual stream survey and impairment inventory referenced above to evaluate if non-construction related sources of siltation are being conveyed through the stormwater system, or if the general condition of the stormwater system itself is generating siltation.

Incentive #4: MS4's applying for QLP Status will have to show that the necessary resources will be provided.





MS4's applying for QLP Status will have to complete the LOS exercise to show the resources necessary for their program to support, at a minimum, the following requirements in their jurisdiction:

- Procedures for site inspection and enforcement. The MS4 must have procedures in place for its inspectors to evaluate construction site compliance. The ERP must include specific enforcement steps to ensure construction sites are in compliance with the MS4's program.
- Recognition of priority construction activity, including at a minimum, those
 construction activities discharging directly into, or immediately upstream of,
 waters the state recognizes as impaired or Exceptional Tennessee Waters;
 Pre-construction meetings with construction-site operators for priority
 construction activities; and Inspections by the MS4 of priority construction sites
 at least once per month.
- 4. Specific procedures for SWPPP review and approval: These procedures must include an evaluation of SWPPP completeness and overall BMP effectiveness.
- Procedures for managing public input on projects: The MS4 must have mechanisms for providing notice of projects and receiving and considering comments from the public.
- 10. Procedures for the issuance, tracking and reporting of Notice of Coverage for construction activities performed within the QLP jurisdiction.

The QLP application will contain the results of this exercise along with a signature blank for the Mayor (or responsible party) to sign, signifying that he/she is committing that the MS4 guarantees that the resources to support the minimum requirements for QLP Status will be provided.

Incentive #5: QLP Status requirements guaranteed static.

QLP Status requirements beyond the requirements for an MS4 program shall remain static for the duration of the contract between the QLP and TDEC.

Incentive #6: Streamlining QLP procedures.

As an incentive for MS4 participation, QLP program requirements have been streamlined where possible.



A-3

From: Jennifer Watson

To: QLP Advisory Committee

CC: Conley.Alanna@epamail.epa.gov; Flynn.Sean@epamail.epa.gov

Date: 6/8/2010

Time: 10:00 AM - 1:15 PM

Subject: QLP Meeting Rescheduled for June 8, 2010

Place: 17th Floor L&C Tower

Good Morning Everyone!

The general MS4 permit went on public notice on March 22, 2010, and is expected to be issued in June. The public notice period for the proposed permit ends on May 28th. Since our QLP minimum requirements are based on the new MS4 permit, we are moving the next QLP meeting to Tuesday, June 8, 2010, from 10-1 PM CT so we can finalize any changes to the QLP minimum requirements prior to our meeting.

Our agenda for the June 8th meeting will include the following topics:

- 1. EPA Introductions,
- 2. An update on the new permit,
- 3. Revised QLP Timeline,
- 4. QLP Awards & Recognition,
- 5. Next Steps as a QLP,
- 6. QLP Application Process,
- 7. QLP Incentives Review

Please continue to think about and submit potential ideas and opportunities for QLP Awards, Rewards, and Recognition.

Thank you! See you on June 8th!

Jennifer

Jennifer Watson

TDEC - Water Pollution Control Enforcement & Compliance Section Office: 615-532-0359 Jennifer.Watson@tn.gov

APPENDIX "B"

- B-1 Formal Time Extension Request Letter
- B-2 QLP Timeline Proposal and Comparison
- B-3 Key Milestone Updates
- B-4 QAPP Draft

B-1



STATE OF TENNESSEE DEPARTMENT OF ENVIRONMENT AND CONSERVATION DIVISION OF WATER POLLUTION CONTROL 401 Church Street L&C Annex 6th Floor Nashville, TN 37243-1534

March 9, 2010

Mr. Sean Flynn USEPA Region 4 Planning and Environmental Accountability Branch 61 Forsyth Street, S.W. Atlanta, GA 30303-8960

Re: Grant Extension Request

Construction Stormwater Excellence Initiative 2007

EPA Grant # EI-96489108-0

Dear Mr. Flynn:

On February 10, 2010, we had a conference call meeting with you and Mr. Gerald Filbin to discuss the possibility of a two-year no additional cost time extension for our grant referenced above. This correspondence serves to document that meeting and to formally request an extension to our existing timeline.

We are requesting a two year extension for the purpose of providing time for MS4s participating in the grant's QLP Pilot Period to accomplish the following two actions:

- Revise their stormwater programs in accordance with new General Permit for small MS4s;
- · Enable a full QLP pilot period.

Our General Permit for Small MS4s expired on February 26, 2008. Although we had originally projected the permit would be re-issued in June 2009, due to delays, it is now scheduled to be reissued in July 2010. The development of the permit has been mainly delayed due to the number and complexity of new or revised permit elements. The permit will go through a 60 day formal public comment period and the final issuance of the permit is anticipated in July 2010.

Due to the permit delay, MS4s will not have time to review the new permit and effectively update their programs prior to participating in the grant's Pilot Period, which is currently scheduled for June 2010. Keeping the grant under the current schedule would

result in the MS4s using a portion of the Pilot Period for program update, rather than piloting the QLP program.

We feel it is important to the success of this grant to provide MS4s time to revise their stormwater programs in accordance with new permit requirements, as well as enable a full QLP pilot period. A two year extension would provide this needed additional time. Resultantly, the grant's QLP Pilot start date would be set for June 2012, and the QLP Program to go live in June 2013. This time extension includes no need for additional funds.

Please see the attached timeline document and adjusted grant milestones document. It is requested that our grant project period be extended from September 2011 to September 2013. We believe this extension will allow us to successfully meet the project tasks described in the attachments.

Thank you for your consideration of our grant extension request.

Sincerely

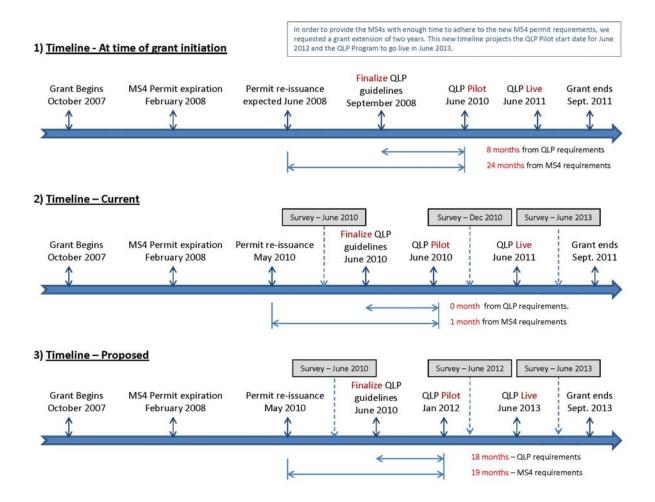
Robert Karesh

Statewide Stormwater Coordinator

Department of Environment and Conservation

Division of Water Pollution Control

B-2



Key Milestones (Including Outputs), B-3 Reflecting The Projected Timelines For Completion

| Objectives and Outputs | Projected Start Date | Completion Date/Projected Completion Date | Slippage Explanation/Other Comments |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|-------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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| Objective: Execute contract with the University of Tennessee's Municipal Technical Advisory Service (MTAS) Output(s): Due to MTAS's unique status within the State, their ability to deliver training and technical support statewide to local governments and their history as a TDEC partner in the Stormwater program, MTAS will be the sole contractor for the initiative. | October 2007 Final Signatures May 2008 | May 2008 | Final signatures were received by Contracts Division/TDEC May 2008 |
| Objective: TDEC-MTAS project team meetings Output(s): Continuing identification of MS4's for Stormwater group. Identifying specific contacts from various other stake holder organizations. Scheduling venues for organizational meetings. Developing agenda's, informational literature, etc. | March 2008 Amended from October 2007 | May 2008 | As with Objective #1, TDEC-MTAS continued to work together on project and planning meetings during the delayed pre-award time. The final signatures were received by May 2008. |
| Objective: Establish stormwater group (Tennessee Stormwater Association) Output(s): Organize initial meeting of the state regional group representative at a state level. Formalize the group. Set up a calendar of regional and state meetings, etc. | March 2008 Amended from December 2007 | June 2008 | Due to delayed signatures for official contract award to MTAS, the development of the statewide Stormwater Association was not established until March 2008 (we established this group prior to MTAS receiving the contract) However, the legal incorporation was on June 10, 2008 upon the successful filing of the Charter with the Tennessee Secretary of State. |
| Objective: Establish stakeholder committee Output(s): Identify, contact, and obtain participation from representatives of the stakeholder groups. Set up and formalize the committee. Set mission, agenda, meeting calendar and milestones. | May 2008 Amended from December 2007 | May 2008 | Due to delayed signatures for official contract award to MTAS, and the delayed establishment of the TNSA, the Stakeholder Committee was not established until May 2008 |

Key Milestones (Including Outputs), B-3 Reflecting The Projected Timelines For Completion

| Objectives and Outputs | Projected Start Date | Projected Completion Date | Slippage Explanation/Other Comments |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Objective: Facilitate meetings to establish criteria Output(s): Set venue, agenda, etc., and facilitate meetings in order to achieve stakeholder input on the criteria for qualifying a local program. | June 2008 (Began) Amended from January 2008 | June 2010 | Start date amended due to grant development delays but meetings have been held every quarter since the Kickoff meeting held August 15, 2008. Although the Incentives are finalized (December 2009), the meetings will continue in order to develop formal application materials for MS4s to apply to become a QLP. |
| Objective: Develop and promote guidelines and incentives Output(s): With the information from the stakeholder committee meetings, develop guidance material and an incentive program for qualifying local programs. | September 2008 (Began) | December 2009 | Start date amended due to grant development delays but meetings to develop incentives/criteria have been held every quarter since the Kickoff meeting held August 15, 2008. Although the final list of incentive was finalized in December 2009, working out the details on some of these incentives will continue. (Such as the need for rule-making) |
| Objective: Develop excellence recognition program Output(s): With the information from additional stakeholder committee meetings, input from additional groups such as the Tennessee Municipal League, etc., develop excellence recognition program | December 2009 (Began) - Amended from October 2009 | September 2010 | Began initial discussion at the December 2009 meeting, and after amending the project timeline, we will have two more quarterly meetings to discuss & finalize Excellence Recognition Program by September 2010. |
| Objective: Pilot the qualification of a MS4 Output(s): Work with select MS4(s) volunteer(s) program(s) to work through guidance materials and document achieving the various elements involved in becoming a qualified program. Monitor the designated Qualified Program. | June 2012 | June 2013 | In order to provide the MS4s with enough time to adhere to the new MS4 permit requirements, we requested a grant extension of two years. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. |
| Objective: Develop and deliver workshops across the state Output(s): Based on the results of the pilot program, update the guidance materials. With the updated guidance materials and pilot program case history/histories, develop workshops lesson plans. Deliver workshops and guidance materials statewide. | June 2013 | August 2013 | The timeline was adjusted by two additional years to provide the MS4s with enough time to adhere to the new MS4 permit requirements; we requested a grant extension of two years. This new timeline projects the QLP Pilot start date for June 2012 and the QLP Program to go live in June 2013. |

histories etc., for delivery to EPA.

Key Milestones (Including Outputs), B-3 Reflecting The Projected Timelines For Completion Projected Start Projected **Objectives and Outputs Slippage Explanation/Other Comments Completion Date** Date Objective: Deliver a replicable solution to other The timeline was adjusted by two additional years to provide the MS4s with enough time to adhere to Output(s): the new MS4 permit requirements; we requested a September 2013 September 2013 With updates to workshop lesson plans grant extension of two years. This new timeline and materials based on participant projects the QLP Pilot start date for June 2012 and feedback, develop final guidance the QLP Program to go live in June 2013. materials, workshop lesson plans, case

B-4

Construction Stormwater Excellence Initiative 2007

EPA Grant# EI-96489108-0

Tennessee Department of Environment and Conservation

Division of Water Pollution Control

Quality Assurance Project Plan

(Note: According to EPA's guidance on QMP's and QAPP's, this is a non-conforming, memostyle QAPP; however, it adheres to guidance provided by the social scientists in OPEI.)

Original Draft: October 2009

Revised: November 20, 2009; December 2009; January 2010; February 2010; March 2010

Project Lead Contact Information:

Robert Karesh

Tennessee Department of Environment and Conservation Division of Water Pollution Control Statewide Stormwater Coordinator 401 Church Street, L&C Annex, 6th Floor Nashville, TN 37243 1534

Phone: 615.253.5402 Fax: 615.532.0686 Email: <u>Robert.Karesh@state.tn.us</u>

John C. Chlarson, P.E.

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Phone: 731.425.4785 Fax: 731.425.4771 Email: john.chlarson@tennessee.edu

Approval Sheet

| Signature: | Date | | | | |
|----------------------------------------------------------------------|-----------------------------|--|--|--|--|
| Robert Karesh | | | | | |
| Tennessee Department of Environment and Co | onservation (TDEC) | | | | |
| Statewide Stormwater Coordinator/Tennessee Grant Project Coordinator | | | | | |
| Signature: | Date | | | | |
| John C. Chlarson | | | | | |
| Univ. of Tennessee – Municipal Technical Adv | isory Service (UT-MTAS) | | | | |
| Project Survey Quality Assurance Officer | | | | | |
| | | | | | |
| Signature: | Date | | | | |
| Gerald Filbin | | | | | |
| U.S. EPA – HQ, National Center for Environme | ental Innovation (NCEI) | | | | |
| Director – Innovative Pilots Division/NCEI Qual | lity Assurance Officer | | | | |
| | | | | | |
| Signature: | Date | | | | |
| Sean M. Flynn | | | | | |
| U.S. EPA – Region 4, Planning and Environme | ental Accountability Branch | | | | |
| EPA Grant Manager | | | | | |

QAPP DRAFT

1. Project Abstract

The State of Tennessee's 2006 303(d) List identified a number of waterbodies within the boundaries of many of the State's Municipal Separate Storm Sewer Systems (MS4s) as not fully supporting designated use classifications due to siltation and/or habitat alteration associated with urban runoff, land development activities, and streambank modification associated with construction. Siltation (sedimentation) is the most frequently cited cause of waterbody impairment in Tennessee, impacting over 5,800 miles of streams and rivers. Excessive sediment loading from land disturbance and construction activities in MS4s is a major ecosystem stressor and has adversely impacted municipal stream biota, either directly or through changes to physical habitat.

Under CFR 122.44(s), TDEC can formally recognize a MS4 as a Qualified Local Program (QLP) if it has been shown to meet or exceed the provisions of the construction general permit. A QLP would be an MS4 that attains a demonstrated program quality beyond that of the normal, compliant, MS4. Therefore, in a further effort to reduce siltation and improve water quality, TDEC is developing criteria and incentives for MS4s to become QLPs. The goals of this program include:

- 1. MS4s find the QLP option desirable and apply for and are accepted as QLP's, both in the initial pilot and in the widescale rollout later. In seeking acceptance as a QLP, the MS4s take actions to meet or exceed the provisions of their construction general permit.
- 2. The QLP option leads to greater efficiency among participants and TDEC
- 3. Water quality protection under the QLP option is at least as good as non-QLP's under direct TDEC supervision, as demonstrated by maintenance of effective QLPs and by TDEC's ability to allocate resources away from QLP jurisdictions and related construction activities.

2. Definitions

Municipal Separate Storm Sewer System (MS4)- Municipal Separate Storm Sewer (MS4) is defined at 40 CFR §122.26(b)(8) and means a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains):

(i.) Owned or operated by a State, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage district,

or similar entity, or a designated and approved management agency under section 208 of the CWA that discharges to waters of the state;

- (ii.) Designed or used for collecting or conveying stormwater;
- (iii.) Which is not a combined sewer; and
- (iv.) Which is not part of a Publicly Owned Treatment Works (POTW) as defined at 40 CFR §122.2.

A **Designated MS4** is an MS4 whose discharges must be permitted under the State of Tennessee's NPDES Permit.

National Pollutant Discharge Elimination System (NPDES) general permit- for small municipal separate storm sewer systems (MS4s). It authorizes discharges from small MS4s located throughout the State of Tennessee. There are two discrete small MS4 entities: currently permitted MS4s renewing their coverage and newly identified MS4s designated by the director of Division of Water Pollution Control including specific state college and university campuses with on-campus housing.

Participant- for the purposes of this QAPP, a participant is an MS4 that has volunteered and qualified to take part in the QLP Pilot Program.

Non-participant-for the purpose of this QAPP, a non-participant, is an MS4 that either did not volunteer or did not qualify to take part in the QLP Pilot.

Pilot Program- would be a period where TDEC will work with select MS4(s) volunteer(s) program(s)to work through guidance materials and document achieving the various elements involved in becoming a qualified program.

Qualified Local Program (QLP)- is an MS4 stormwater management program for discharges associated with construction activity that has been formally approved by the division as having met specific minimum program requirements, including those identified in 40 CFR 122.44(s). The intent of the QLP is to establish a streamlined and efficient process for managing discharges of stormwater associated with construction activities by eliminating duplication of the effort between the MS4 and the Division.

Quality Assurance Program Plan (QAPP) - This is a guidance document written to assure the quality of the collection of any primary or secondary data related to this project. According to EPA's guidance on QMP's and QAPP's, this is a non-conforming, memo-style QAPP; however, it adheres to guidance provided by the social scientists in OPEI.

Respondent- for the purposes of this QAPP, a respondent is an MS4 that receives and responds to the surveys developed under this QAPP.

Non-respondent- for the purposes of this QAPP, a non respondent is an MS4 that does not responds to the survey developed under this QAPP.

Stormwater Program- refers to the MS4 or the operation and administration of the MS4 by the responsible local government.

3. Measurement Approach Overview and Purpose

We intend to conduct three surveys of stormwater programs throughout the State in order to understand:

- The extent to which their attitudes about QLPs have changed over the course of the project.
- The extent to which project participants have changed their stormwater-related policy activities (i.e., behavior) relative to non-participants. Example: Increase in number of inspections.
- The extent to which the rate of complaints changes over time for QLP participants (perhaps relative to non-participants), to help judge whether environmental protection is being maintained.

Participation in the pilot program will be voluntary. Participation will be limited to MS4's that meet the minimum criteria developed as part of this initiative. Therefore we do not have a predetermined pilot group size. The participants in the pilot program will be qualified volunteers from the approximately 100 designated MS4's in Tennessee. We will use the information collected to gauge the extent to which the pilot program has been successful, in order to judge whether the QLP elements tested and demonstrated during the pilot warrant using the QLP option in Tennessee, or if these elements need to be adjusted or modified prior to making the QLP option available to the remainder of the qualified MS4 population in Tennessee.

This data collection is authorized by EPA ICR 1755.08.

4. Detailed Description of Measurement Approach (Primary Data)

There is one primary data source: surveys of the designated MS4s throughout the state. We intend to use a web-based survey form:

• Data will be collected three times: prior to the beginning of the pilot period; during the pilot period, shortly after participants begin implementing aspects of being QLPs; and near the conclusion of the project period. The pilot period would be a period where TDEC will work with select MS4(s) volunteer(s) program(s)to work through guidance materials and document achieving the various elements involved in becoming a qualified program. We will monitor the designated Qualified Programs. Surveys will be approximately one year apart from each other. It is expected that the most valuable data

with regard to behavior change and environmental outcomes will be collected in the final survey, allowing some time for the potential benefits of QLP participation to take hold.

- Anticipated length of survey response time is less than 30 minutes; respondent should allow additional time to access records in preparation for the survey.
- Since MS4s are familiar with Municipal Technical Advisory Service (MTAS) surveys, MTAS should conduct the survey. The stormwater program contact for each MS4 in Tennessee will receive the survey.
- We do not intend to use statistical analysis to make projections, as we intend to collect data from the entire relevant population of stormwater program contacts in the State.
- Specific measures that we will use the data to support will include percent of facilities achieving a desirable behavior or attitude change, improvement in complaint levels.
- The MTAS document: <u>Surveying Citizens: A Handbook for Municipal Officials Who</u>
 <u>Want to Know What Their Citizens Think</u> by David Folz will be used as supplemental guidance to conduct the surveys and prepare the reports, with guidance from EPA staff, contractors, and social scientists being primary.

5. Secondary Data Sources

Secondary data sources would include TDEC complaint records and enforcement data. TDEC complaint records are expected to be combined with information from the MS4s about their complaint levels, to get an accurate picture of the complaint rate for each MS4. We define complaint rate as the total number of complaints received by TDEC or the MS4 regarding stormwater-related construction activities in a particular MS4's jurisdiction divided by the total number of stormwater-related construction permits on record, for each fiscal year.

6. Quality Assurance Procedures

Prior to Data Collection:

The following approach will be undertaken to minimize potential bias during survey planning:

The survey methodology has been carefully vetted by TDEC, MTAS, and EPA staff and contractors, including a social scientist, to reduce the possibility of bias in the survey instrument. All questions were carefully examined in this context.

All stormwater programs across the State will be invited to participate in the survey to avoid bias in selecting (or "cherry picking") respondents.

Additionally, the survey methodology will be reviewed by the QLP Advisory Committee, which is comprised of representatives from various stakeholder groups, including: stormwater programs (MS4s), the Home Builder's Association, the Association of General Contractors, environmental advocacy groups, TDEC, the Tennessee Department of Transportation, the Tennessee Chamber of Commerce, the Tennessee Stormwater Association, and others. We feel that the benefits of getting comments from a small number of MS4 stormwater contacts outweighs any limited, potential bias that might be caused by their reviewing the survey in advance of providing formal responses during the official survey process.

The UT-MTAS Library, the component of MTAS which will administer the surveys, conducts numerous statewide surveys on an ongoing basis. Their experience should help ensure minimal problems in implementation.

The Quality Assurance Officer will conduct a Readiness Review immediately prior to the data collection tasks: identifying targeted recipients, implementation staff training/review, self-certification, targeted follow-up and post-certification inspections. The QA Officer will report findings to the Project Manager, who will take corrective action (if any is necessary) before the data collection task begins. Further, the Project Manager and QA Officer will thoroughly debrief project implementation staff a short time after beginning their respective implementation tasks, to identify emerging/unanticipated problems and take corrective action, if necessary.

During Data Collection:

As stated above, rather than random sampling, we intend to use the entire set of permitted stormwater programs in the State of Tennessee.

MTAS has a standard follow-up protocol for tardy respondents:

- first time: an email reminder
- second time: another email reminder
- third time: a reminder by telephone

Mayors are included in our contact list and will be requested to encourage staff to complete surveys, if needed, as a last resort.

The surveys will be in electronic, interactive format. Data entry will be cross-checked and peer-reviewed for the distillation, summarization, and analysis and reporting. The results will be shared with TDEC and EPA and stored according to EPA policy.

After Data Collection:

We do not need to use inferential statistical techniques because we are conducting a census. Instead, we will be using descriptive statistics to characterize results from the respondents.

We will separately examine the data for the program participants and program nonparticipants to understand how the metrics are changing for each.

With regard to attitudes, this will help us understand the impact of the project and project-related outreach on both groups.

With regard to behavior changes and efficiency/complaint outcomes, comparing the trends between program participants and program non-participants will help understand if any observed changes among program participants are very different from what's happening among program non-participants. This can help reduce or eliminate potential biases (such as the slowdown in the economy, which might make permits go faster and complaints decrease, just because there are fewer projects).

With regard to checking for data quality, we will attempt to characterize non-respondents in terms of counts of types of non-respondents, looking at typing categorizations such as population size, per capita income, grand division of the State (West, Middle, East), overall program evaluation by their local TDEC field office, etc., and characterizing questions for which there is a poor response rate or data quality is otherwise poor.

7. Impact of Relevant Data Quality Issues

Precision:

For the questions, are they phrased appropriately to be understood well?

The survey methodology has undergone peer review.

Sensitivity:

Are the questions sufficiently detailed enough to be of analytical value?

We have considered sensitivity issues in designing the survey and believe we have an appropriate balance of sensitivity and practicality. For instance, we are collecting complaint data on a fiscal year basis, primarily because it is consistent with state/MS4 records, but it should still be sensitive enough to detect moderate trends. We believe that the vetting process with TDEC, EPA, MTAS, and stakeholder representatives on the QLP Advisory Committee will ensure this.

Representativeness:

Will the survey be conducted within a representative group?

Yes. We are conducting a census of all MS4 stormwater program contacts in the State.

Completeness:

Could a large number of non-respondents to the survey create a lack of representativeness?

Yes.

Is this expected?

No. MTAS follows up with respondents with a progressive level response protocol, as mentioned earlier, and has a very successful track record. If necessary, our primary contacts for each city includes the mayor, who can usually motivate staff the complete the surveys.

Can it be mitigated?

In the event of any non-response, we will characterize the non-respondents according to several different kinds of characteristics and assess the extent to which we believe overall results may be biased. These findings will be provided with any reports of results.

We will use such categorizations as population size, per capita income, grand division of the State (West, Middle, and East), overall program evaluation by their local TDEC field office, etc. These strata will be reviewed for commonalities or patterns.

Further, we have designed the survey checklist to attempt to minimize item non-response, by limiting the amount of time that answering a survey will take and injecting design elements that are intended to engage the survey population. Potentially sensitive questions have also been placed closer to the end of the survey. Upon completion of surveys, we will examine the data for item non-response and characterize questions for which there is a poor response rate or data quality is otherwise poor.

Comparability:

Do you anticipate making comparisons among groups or over time?

Yes.

Will your approach be sufficiently consistent to allow for such comparisons? Will you be tracking factors that might complicate comparison (e.g., changing regulatory or economic factors can influence comparability over time).

Yes. As stated above, with regard to behavior changes and efficiency/complaint outcomes, comparing the trends between QLP participants and non-participants will help understand if any observed changes among QLP participants are very different from what's happening among non-participants. This can help reduce or eliminate potential biases (such as the slowdown in the economy, which might make permits go faster and complaints decrease, just because there are fewer projects). We also intend to share preliminary results with our stakeholders in order to solicit feedback in terms of interpreting the results and understanding potential biases.

Please note that, because some MS4s will transition into QLP status over the course of the project, we will slightly alter the survey checklist for these MS4s to ensure they will interpret it properly. In making these alterations, we will ensure that data will be comparable to prior responses and to MS4s that have not become QLPs. (All versions of the survey are provided as attachments.)

Bias:

Have you addressed potential biases, such as a self-reporting bias?

Because we are largely relying on self-reported information, we cannot substantially remove self-reporting bias. However, we do believe that the survey delivery method and survey design will mitigate self-reporting bias because of the assurances of identity protection. Further, self-reporting is vital for much of the attitudinal information being collected.

Can you mitigate it in some way, such as by promising anonymity or verifying responses?

Yes. We are promising anonymity and conducting the survey through MTAS, which is a third party, non-regulatory agency that has a pre-existing role as a source of technical support and assistance to the respondents. We will also look to see if there is some sort of self-selection bias. By that, we mean whether the participants, by their nature, are very different than nonparticipants and likely to have different outcomes as a result. This might be more of a qualitative assessment.

8. Project Management

The Tennessee Grant Project Coordinator will be responsible for overseeing the data collection process and ensuring that consistent practices are implemented. MTAS's QA Officer and the Tennessee Grant Project Coordinator will conduct QA on the data entered prior to any analysis.

Table 1: Project Implementation Personnel

| Individual | Role in Project | Organizational Affiliation |
|----------------------------|-------------------------------------------------|----------------------------|
| Frances Adams- O'Brian | Project Survey Administrator | UT-MTAS |
| John C. Chlarson, P.E. | Project Survey Quality Assurance Officer | UT-MTAS |
| Robert Karesh | Tennessee Grant Project Coordinator | TDEC |
| Sean M. Flynn | EPA Grant Manager | US EPA Region 4 |
| Gerald J. Filbin, Ph.D. | Director, Innovative Pilots Division, NCEI, EPA | US EPA HQ |

I. 9. Assessment/Oversight

Assessment and Response Actions

MTAS's Project Survey QA Officer will conduct a readiness review prior to primary data collection. The MTAS Project Survey QA Officer will report findings to the Tennessee Grant Project Coordinator, who will take corrective action, as necessary. Corrective action will be preapproved by the MTAS Project Survey QA Officer. Collection of primary data will not begin until the MTAS Project Survey QA Officer certifies readiness. The Tennessee Grant Project Coordinator and MTAS Project Survey QA Officer will meet regularly with other project implementation staff to identify emerging/unanticipated problems and take corrective action, if necessary.

Reports to Management

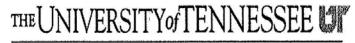
Three kinds of reports will be prepared during the grant period of performance: readiness reviews (described above), regular quarterly progress reports, and a final report. Progress reports will note the status of project activities, identify any QA problems encountered, and explain how they were handled. The final report will analyze and interpret data, present observations, draw conclusions, identify data gaps, and describe any limitations in the way the results should be interpreted.

Table 2: Reporting

| Type of Report | Frequency | Preparer | Recipients |
|-------------------------|----------------------------------------------------------------|----------------------------------------|---------------------------------------------------------------------------------------|
| Readiness | Before each | MTAS Project | Tennessee Grant |
| Review | major data collection task (specifically, before each | Survey QA Officer | Project Coordinator |
| | survey) | | |
| Progress Report | Quarterly | Tennessee Grant Project Coordinator | EPA Grant Manager (Copying US EPA OPEI) |
| Final Project Report | Once | Tennessee Grant Project Coordinator | EPA Grant Manager (Copying US EPA OPEI), QLP Advisory Committee stakeholders |

APPENDIX "C"

C-1 MTAS Invoice



MUNICIPAL TECHNICAL ADVISORY SERVICE

Invoice for Miscellaneous Charge

Invoice No: 2118 Date: 02/12/2010

Bill To: TDEC

401 Church St. L & C Tower 6th Floor Nashville, TN 37243 Ship To: TDEC

401 Church St. L & C Tower 6th Floor Nashville, TN 37243

| DATE SHIPPED | SHIPPED VIA | F. O. B, POINT | TERMS | | | |
|------------------------------|--------------------------|----------------|-------------|--|--|--|
| | | | Net 30 | | | |
| | | | | | | |
| | | | | | | |
| Development of criteria & In | centives for Municipal | \$19,826.86 | \$19,826.86 | | | |
| Separate Storm Sewers Sys | stems (MS4s from Oct. 1, | | | | | |
| 2009 through Dec. 31, 2009 |) | | | | | |
| Shipping Charge: | | | | | | |
| Total Amount Due this Invol | ce: | \$19,826.86 | \$19,826.86 | | | |
| Total Receipts Received this | s Invoice: | \$0.00 | \$0.00 | | | |
| Total Balance Due this invo | lce: | \$19,826.86 | | | | |

Make checks payable to: The University of Tennessee

Mall payment to:
Armintha Loveday
Municipal Technical Advisory Service
University of Tennessee
120 Conference Center Building
Knoxville, Tennessee 37996-4105
Phone: (865) 974-0411
Fax: (865) 974-0423

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| Tennessee Dep | artmont o | f Environm | ont and Car | acorustion. | | | | |
| 401 Church Str | | TENVIRONIN | ent and Cor | iservation | | | | |
| | | | | | | | | |
| L & C Tower, 6 | | | | | | | | |
| Nashville, TN 3 | 7243 | | | | | | | |
| | | | | | through De | | | |
| | | Detail for Invoice # 2118 | | | | | | |
| | | Invoice date: 2/12/10 | | | | | | |
| | UTK Fed ID # 62-6001636 | | | 01636 | | | | |
| | | | | | | | | |
| | | | | | | Amount | | Total |
| | | | | - | | Billed To Date | Current Period | Amount |
| | | | | | | (Incl current period) | 10/1/09-12/31/09 | Due |
| | Professional | Salaries | | | | \$60,754.99 | \$11,502.22 | \$11,502.22 |
| | Support Sala | ries | | | | \$0.00 | \$0.00 | \$0.00 |
| | Benefits | | | | | \$18,188.33 | \$3,668.48 | \$3,668.48 |
| | Travel | | | | | \$5,766.34 | \$922.06 | \$922.06 |
| | Printing | | | | | \$22.25 | \$0.00 | \$0.00 |
| | Supplies | | | | | \$109.33 | \$0.00 | \$0.00 |
| | Insurance | | | | · | \$1,632.00 | \$0.00 | \$0.00 |
| | Special Serv | CONTRACTOR OF A VALUE OF THE PARTY OF THE PA | | | | \$2,061.00 | \$1,147.99 | \$1,147.99 |
| | Program Sup | | | | | \$13,177.26 | \$2,586.11 | \$2,586.11 |
| | Invoice Total | l: | | | | \$101,711.50 | \$19,826.86 | \$19,826.86 |
| Prof. Salaries: | Calaria daina | | | | | \$60.7E4.00 | £44 E00 00 | 644 E00 00 |
| Prof. Salaries: | | spent on Muni. S | | | | \$60,754.99 \$0.00 | \$11,502.22 \$0.00 | \$11,502.22 \$0.00 |
| Benefits: | Support time spent spent on Muni. Storm Sewers Systems. Benefits associated with above salaried time. | | | | \$18,188.33 | \$3,668.48 | \$3,668.48 | |
| Dellellis. D | Delleins asse | Joiated With abo | Jve salaneu tiii | 16. | | \$78,943.32 | \$15,170.70 | \$15,170.70 |
| | | | - | | | \$76,943.32 | \$15,170.70 | \$15,170.70 |
| Travel: | John Chlarso | n travel | | 10 | | \$5,766.34 | \$922.06 | \$922.06 |
| | Com Cinaro | 1 | | | | \$5,766.34 | \$922.06 | \$922.00 |
| | | | | | | 75,700.54 | \$322.00 | 3322.00 |
| Printing: | | | | | | \$22.25 | \$0.00 | \$0.00 |
| | | | | | | \$22.25 | \$0.00 | \$0.00 |
| | - | | | | - | V | 70.00 | 70.0 |
| Supplies: | | | | | | \$109.33 | \$0.00 | \$0.00 |
| | | | | | | \$109.33 | \$0.00 | \$0.00 |
| | ****** | | | | | | | |
| Insurance: | | | | - | | \$1,632.00 | \$0.00 | \$0.00 |
| | | | | | | \$1,632.00 | \$0.00 | \$0.00 |
| | | | | | | | | |
| Special Services: | QLP Commit | tee Meeting & | Recognition Dia | nner | | \$2,061.00 | \$1,147.99 | \$1,147.99 |
| | | | | | | \$2,061.00 | \$1,147.99 | \$1,147.99 |
| | | | 1 | | | | | |
| Program Support: | Facilities & A | dmin. Costs (1 | 5% of direct co | sts) | | \$13,177.26 | \$2,586.11 | \$2,586.11 |
| | | | | | | \$13,177.26 | \$2,586.11 | \$2,586.13 |
| | | | | ., | | | | |
| | | | | | Subtotals | \$101,711.50 | \$19,826.86 | \$19,826.86 |
| | | | | | Other | 0.00 | 0.00 | 0.00 |
| | | | | | Other | 0.00 | | 0.00 |
| | | | | | TOTALS | \$101,711.50 | \$19,826.86 | 19,826.86 |